

ORIGINAL

UNITED STATES DISTRICT COURT

for the

District of the Northern Mariana Islands

United States of America

v.

ZHAO Yuqing,

Defendant(s)

Case No.

CR

17-00005

FILED

Clerk
District Court

MAR 31 2017

CRIMINAL COMPLAINT

for the Northern Mariana Islands

By

(Deputy Clerk)

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03/07/2017 through 03/22/2017 in the county of --- in the

--- District of the Northern Mariana Islands, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. § 1324a	Unlawful Employment of Aliens
8 U.S.C. § 1324(a)(1)(A)(iii)	Bringing In and Harboring Certain Aliens

This criminal complaint is based on these facts:

See attached Affidavit in Support of Criminal Complaint and Arrest Warrants.

☒ Continued on the attached sheet.


Complainant's signature

Scott Berkland, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/31/2017



Judge's signature

City and state: Saipan, CNMI

Heather L. Kennedy, Magistrate Judge

Printed name and title



FILED
Clerk
District Court

MAR 31 2017

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

for the Northern Mariana Islands
By _____
(Deputy Clerk)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ZHAO Yuqing,

Defendant.

CASE NO. CR 17-00005

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT
AND ARREST WARRANTS**

I, Scott Berkland, being a Special Agent (SA) with the Federal Bureau of Investigation and acting in my official capacity, do hereby state as follows:

INTRODUCTION

1. I have been a special agent with the FBI for approximately nine (9) years. I am currently assigned to the Honolulu Division, Saipan Resident Agency (RA), located in the Commonwealth of the Northern Mariana Islands (CNMI). My experience as an FBI special agent includes, but is not limited to: interviewing witnesses, document analysis, physical surveillance, drafting and executing search and arrest warrants, translation, and recruiting and debriefing persons with specific knowledge of illegal activities. Through investigation and training, I have become familiar with the practices of recruiting and employing undocumented workers and the methods used to conceal such practices.

2. Prior to joining the FBI, I worked and studied in China for approximately four (4) years, and subsequently earned a Master's degree in East Asian studies focusing on China. I speak, read and write Mandarin Chinese, and use Mandarin Chinese in my official capacity as a special agent on a daily basis.

1 3. Based on the above training and experience, your Affiant is familiar with the modus
2 operandi of persons involved in the recruiting, employing and concealment of undocumented
3 workers, specifically those from China, as well as the terminology used by persons involved in
4 these practices.

5 4. Your Affiant makes this affidavit pursuant to Rules 3, 4(a), and 5(b) of the Federal Rules
6 of Criminal Procedure to support the arrests of ZHAO Yuqing, and RUAN Pei, for violations of
7 Section 1324(a)(1)(A)(iii) of Title 8 of the United States Code, and Section 1324a of Title 8 of the
8 United States Code, beginning on or about March 7, 2017 and continuing until March 22, 2017, in
9 the District of the Northern Mariana Islands, as charged in the accompanying criminal complaint.

10 5. The facts set forth in this affidavit are based upon my personal knowledge, knowledge
11 obtained during my participation in this investigation, knowledge obtained from other law
12 enforcement personnel, review of documents related to this investigation, communications with
13 others who have personal knowledge of the events and circumstances described herein and
14 information gained through training and experience. I have not included in this affidavit every
15 fact known to me in regard to this investigation, but rather only those sufficient to establish
16 probable cause.

17 **APPLICABLE LAW**

18 6. Under Section 1324(a)(1)(A)(iii) of Title 8 of the United States Code, a defendant commits
19 the crime of bringing in and harboring certain aliens if there is evidence that proves: First, that
20 there is a person who is an alien; second, that person was not lawfully in the United States; third,
21 the defendant knew or acted in reckless disregard of the fact that the alien was not lawfully in the
22 United States; and fourth, the defendant harbored, concealed, or shielded from detection the alien
23 for the purpose of avoiding detection by immigration authorities.

7. Under Section 1324a of Title 8 of the United States Code, a defendant commits the crime of unlawful employment of aliens if there is evidence that proves: First, that the defendant hired, recruited or referred for a fee an alien; second, for employment in the United States; and third, while knowing the alien is an unauthorized alien with respect to such employment, or if a defendant: First, hires an alien; second, for employment in the United States; third, without verifying that the alien is authorized to work in the United States.

PROBABLE CAUSE

8. I and other FBI agents executed a Court-authorized search warrant at offices located on the second floor of the Kase II Building in Garapan on March 30, 2017. During the search, RUAN Pei, born September 3, 1988, PRC passport PE0819757, telephone number 670-285-3167, identified herself as an employee of MCC International Saipan Ltd. Co. (hereafter MCC). RUAN stated that she was an electrician. She carried a small red purse that contained over \$4,000 in U.S. currency. She explained that she received the money from the MCC finance department and used the money to pay cash bonuses to deserving workers, for which she maintained a handwritten ledger.

9. During a search of RUAN's office, the FBI discovered several boxes and one red Docomo bag filled with approximately 400 Chinese passports stored in a locked cabinet behind RUAN's desk, which RUAN unlocked upon request. Among the passports in the cabinet were 181 passports of Chinese nationals who entered Saipan as visa parolees. Each of the passports the FBI inspected during the search indicated the passport holder had overstayed their parole period. In a locked drawer in RUAN's desk, which RUAN also unlocked upon request, the FBI discovered eight Chinese passports of individuals who had entered Saipan as visa parolees. All eight passports indicated the passport holder had overstayed their parole. When questioned, RUAN stated that she

1 was the government liaison for MCC, and was responsible for filing social security and other
2 documents on behalf of MCC employees. RUAN advised that her supervisor was ZHAO Yuqing,
3 telephone number 670-286-5190.

4 10. During the search the FBI also interviewed an MCC employee named LIU Degang, born
5 October 19, 1959, PRC passport number PE0819752. LIU, who described himself as an executive,
6 stated that his boss was ZHAO Yuqing, telephone number 670-286-5190. Several other MCC
7 employees interviewed during the search identified their boss as ZHAO Yuqing.

8 11. The FBI contacted ZHAO at telephone number 670-286-5190 at approximately 11:45 p.m.
9 on March 30, 2017, to request that ZHAO take possession of the premises and receive the receipt
10 of items seized during the search. ZHAO arrived at the Kase II Building at approximately 12:15
11 a.m. on March 31, 2017. ZHAO, born October 2, 1974, PRC passport number PE0783026,
12 identified himself as the project manager for MCC. ZHAO's passport also contained his CW-1
13 visa, which indicated he was sponsored by MCC International Saipan, Ltd. Co. In addition, ZHAO
14 held a key to the MCC office premises. At the conclusion of the search, ZHAO signed the receipt
15 of items seized, and secured the premises to his satisfaction.

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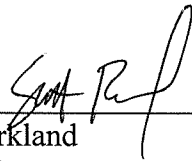
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CONCLUSION

12. Based on the foregoing, I have probable cause to believe that ZHAO Yuqing and RUAN Pei have committed the offenses of Unlawful Employment of Aliens, in violation of 8 U.S.C. § 1324a, and Bringing In and Harboring Certain Aliens, in violation of 8 U.S.C. § 1324(a)(1)(A)(iii), as charged in the accompanying criminal complaint and did aid and abet the same.

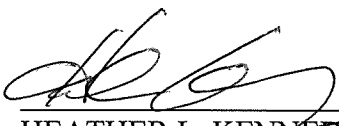
13. I have shown this affidavit and the accompanying complaint to Assistant United States Attorney Eric O'Malley, and he informs me that the complaint and affidavit are in proper form.

Dated this the 31st day of March 2017.



Scott Berkland
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN TO before me on this the 31st day of March 2017.



HEATHER L. KENNEDY
Magistrate Judge
District of the Northern Mariana Islands